

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Norihiro Kimoto et al. Art Unit : 1652
Serial No. : 09/855,309 Examiner : Yong D. Pak
Filed : May 14, 2001
Title : NOVEL CARBONYL REDUCTASE, METHOD FOR PRODUCING SAID
 ENZYME, DNA ENCODING SAID ENZYME, AND METHOD FOR
 PRODUCING ALCOHOL USING SAID ENZYME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), DAICEL CHEMICAL INDUSTRIES, LTD., certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the patent application identified above in USSN 09/468,738, the parent of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 010624, Frame 0609 on February 22, 2000. Daicel Chemical Industries, Ltd., also certifies that it is the assignee of U.S. Patent No. 6,312,933 by virtue of the same assignment.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in Daicel Chemical Industries, Ltd.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,312,933. Any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,312,933.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S.

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Attorney's Docket No.: 14879-050002 / D1-008DP1-
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Patent No. 6,312,933 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. The assignee does not herein disclaim or otherwise affect any part of U.S. Patent No. 6,312,933.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for the \$130 fee required by 37 CFR §§3.73(b) and 1.321(b). Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 14879-050002.

Respectfully submitted,

Date: December 20, 2004



Timothy A. French
Reg. No. 30,175

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906